

Magistrate Judge Donohue

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

HENRY C. ROSENAU,

Defendant.

NO. CR06-157MJP

MOTION FOR DETENTION  
ORDER

The United States moves for pretrial detention of the defendant, pursuant to  
18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because this  
case involves (check all that apply):

- ☐ Crime of violence (18 U.S.C. § 3156)
- ☐ Crime of Terrorism (18 U.S.C. § 2332b(g)(5)(B)) with a maximum sentence  
of ten years or more
- ☐ Crime with a maximum sentence of life imprisonment or death
- ☒ Drug offense with a maximum sentence of ten years or more
- ☐ Felony offense and defendant has two prior convictions in the four  
categories above, or two State convictions that would otherwise fall within  
these four categories if federal jurisdiction had existed.
- ☐ Felony offense involving a minor victim other than a crime of violence

1 — Felony offense, other than a crime of violence, involving possession or use  
2 of a firearm, destructive device (as those terms are defined in 18 U.S.C.  
§ 921), or any other dangerous weapon

3 — Felony offense other than a crime of violence that involves a failure to  
4 register as a Sex Offender (18 U.S.C. § 2250)

5 X Serious risk the defendant will flee

6 — Serious risk of obstruction of justice, including intimidation of a  
prospective witness or juror

7 2. Reason for Detention. The Court should detain defendant because there are  
8 no conditions of release which will reasonably assure (check one or both):

9 X Defendant's appearance as required

10 X Safety of any other person and the community

11 3. Rebuttable Presumption. The United States will invoke the rebuttable  
12 presumption against defendant under § 3142(e). The presumption applies because:

13 — Probable cause to believe defendant committed offense within five years of  
14 release following conviction for a "qualifying offense" committed while on  
pretrial release.

15 X Probable cause to believe defendant committed drug offense with a  
16 maximum sentence of ten years or more

17 — Probable cause to believe defendant committed a violation of one of the  
18 following offenses: 18 U.S.C. §§ 924(c), 956 (conspiracy to murder or  
kidnap), 2332b (act of terrorism), 2332b(g)(5)(B) (crime of terrorism)

19 — Probable cause to believe defendant committed an offense involving a  
20 victim under the age of 18 under 18 U.S.C. §§ 1591, 2241, 2242,  
2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3),  
2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425.

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1       4.    Time for Detention Hearing. The United States requests the Court conduct  
2 the detention hearing:

3       \_\_\_    At the initial appearance

4       X    After continuance of   3   days (not more than 3)

5       5.    Other matters

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7       DATED this  28th  day of  April , 2011.

8                               Respectfully submitted,

9                               JENNY A. DURKAN  
10                              United States Attorney

11                                
12                              \_\_\_\_\_  
13                              FRANCIS FRANZE-NAKAMURA  
14                              Assistant United States Attorney